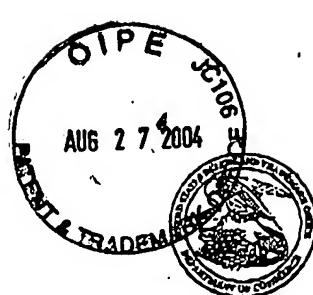


AUG 27 2004

SCT/06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/659,782	09/11/2003	Liat Mintz	

Dr. LIAT MINTZ
 2 KULESSA COURT
 EAST BRUNSWICK, NJ 08816

CONFIRMATION NO. 6045
 FORMALITIES LETTER



0C000000013107909

Date Mailed: 07/08/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2004 JBALINAH 00000055 501447 10659782

FILED UNDER 37 CFR 1.53(b)

01 FC:2051 65.00 DA
 02 FC:2202 54.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new

matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$189** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$254** for a Small Entity

- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$189**
 - **\$189** for 25 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 24, 2004
Date

Cathleen M. Collins
Signature

Cathleen M. Collins

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application No: 10/659,782
Filing Date: September 11, 2003

Title: Compositions, Reagents And Kits For And Methods Of Diagnosing, Monitoring And Treating Obesity And/Or Diabetes

Attorney Docket: 28238

- Preliminary Amendment
- Response to Missing Parts (with executed declaration & sequence listing printout and diskette)
- Copy of Notice to File Missing Parts
- Statement to Support Filing & Submission in Accordance with 37 CFR Section 1.821 through 1.825
- ADS
- Fee Transmittal
- Transmittal
- Receipt Card



Please type a plus sign (+) inside this box



PTO/SB/21(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/659,782
		Filing Date	September 11, 2003
		First Named Inventor	Liat Mintz
		Group Art Unit	Unknown
		Examiner Name	Unknown
Total Number of Pages in This Submission		Attorney Docket Number	28238

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	*Preliminary Amendment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	*Copy and Diskette w/ Sequence Listing
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	*Executed Declaration
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		*Statement to Support Filing And Submission In Accordance with 37 CFR Section 1.821 Through 1.825
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		*Application Data Sheet
	Remarks	*Certificate of Mailing
		*Receipt Card

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey B. Safran (Reg. No. 54,689)	
Signature		
Date	August 24, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Cathleen M. Collins		
Signature		Date	August 24, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.



FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 122.00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
PTO/SB/17 (11-01)

307-008
CFW

Complete If Known	
Application Number	10/659,782
Filing Date	September 11, 2003
First Named Inventor	Liat Mintz
Examiner Name	Unknown
Group / Art Unit	Unknown
Attorney Docket No.	28238

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number

501447

Deposit Account Name

Potter Anderson & Corroon LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	770	201	385	Utility filing fee	
106	340	206	170	Design filing fee	
107	530	207	265	Plant filing fee	
108	770	208	385	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	-20	=	Extra Claims	Fee from below	Fee Paid
Independent Claims		=		X 9	=
Multiple Dependent	-3	=		X 43	=

X 145 =

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	86	202	43	Independent claims in excess of 3
104	290	204	145	Multiple dependent claim, if not paid
109	86	209	43	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
105	130	205	65	Surcharge – late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	420	216	210	Extension for reply within second month
117	950	217	475	Extension for reply within third month
118	1,480	218	740	Extension for reply within fourth month
128	2,010	228	1,005	Extension for reply within fifth month
119	330	219	165	Notice of Appeal
120	330	220	165	Filing a brief in support of an appeal
121	290	221	145	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive – unavoidable
141	1,330	241	665	Petition to revive – unintentional
142	1,330	242	665	Utility issue fee (or reissue)
143	480	243	240	Design issue fee
144	640	244	320	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Processing fee under 37 CFR 1.17(q)
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	770	246	385	Filing a submission after final rejection (37 CFR § 1.129(a))
149	770	249	385	For each additional invention to be examined (37 CFR § 1.129(b))
179	770	279	385	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify) Extra Claim Fee

\$57.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 122.00)

SUBMITTED BY

Name (Print/Type)	Jeffrey B. Safran	Registration No. Attorney/Agent)	54,689	Telephone	(302) 984-6132
Signature				Date	August 24, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LIAT MINTZ

CASE NO: 28238

SERIAL NO: 10/659,782

GROUP ART UNIT: Unknown

FILED: SEPTEMBER 11, 2003

EXAMINER: Unknown

FOR: COMPOSITIONS, REAGENTS AND
KITS FOR AND METHODS OF
DIAGNOSING, MONITORING AND
TREATING OBESITY AND/OR DIABETES

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

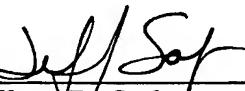
This letter is response to the Notice to File Missing Parts of Nonprovisional Application mailed on July 8, 2004, which indicates that the oath or declaration is missing; the application does not contain, as a separate part or of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR § 1.821(c); a copy of the "Sequence Listing" in computer readable form is required; and the application does not contain statements that the contents of the sequence listing in computer readable form is identical to the written sequence listing and that the "Sequence Listing" contains no new matter.

Enclosed, please find an executed declaration in compliance with 37 CFR § 1.63, a paper copy of the "Sequence Listing," a copy of the "Sequence Listing" in computer readable form on a floppy disk, and a "Statement to Support Filing and Submission in Accordance with 37 CFR §§ 1.821 Through 1.825." Also enclosed in this mailing is a "Preliminary Amendment" directing the entry of the "Sequence Listing" into the application. Applicant has further enclosed an "Applicant Data Sheet."

Ser. No. 10/659,782
Docket No. 28238

Please charge the late filing declaration fee of \$65.00 to Deposit Account No. 501447 (Potter Anderson & Corroon LLP), as well as any additional fees or credit any over-payment. A copy of this form is enclosed.

Respectfully submitted,

By: 
Jeffrey B. Safran
Attorney for Applicants
Reg. No. 54,689
Telephone: (302) 984-6132
Facsimile: (302) 658-1192

Dated: August 24, 2004